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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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UNITED STATES OF AMERICA,

Plaintiff,

vs.

RYAN AUSTIN ROTHER

Defendant.

Case No. 2:17-cr-00148-JAD-GWF

STIPULATION TO CONTINUE THE
RESPONSE DEADLINE, REPLY
DEADLINE, AND HEARING FOR
DEFENDANT'S MOTION TO
SUPPRESS

IT IS HEREBY STIPULATED AND AGREED, by and between STEVEN W. MYHRE, Acting United States Attorney, and CHRISTOPHER BURTON, Assistant United States Attorney, counsel for the United States of America, and NICHOLAS WOLLDRIDGE, ESQ., counsel for Defendant RYAN AUSTIN ROTHER, that the deadline for the Government's Response to the Defendant's Motion to Suppress, currently scheduled for December 25, 2017, the deadline for the Defendant's Reply, currently scheduled for January 4, 2018, be vacated and continued to the following dates:

IT IS STIPULATED AND AGREED, that the Government shall have to and including January 11, 2018, to file any and all responsive pleadings.

IT IS FURTHER STIPULATED AND AGREED, that the Defendant shall have to and including January 18, 2018, to file any and all replies to dispositive motions.

1 The parties further stipulate and agree that the hearing for Defendant's Motion
2 to Suppress, currently scheduled for January 8, 2018, at 10:30 a.m. in the above-
3 captioned matter, be vacated and continued a date and time to be set by this Honorable
4 Court but no sooner than thirty (30) days.

5 This stipulation is entered into for the following reasons:

6 1. The Defendant has filed a Notice of Intent to Plead Guilty Without Benefit
7 of a Plea Agreement (ECF No. 28). A hearing has not yet been set for Defendant's change
8 of plea but the Defendant's counsel has indicated that once the Defendant has entered
9 his guilty plea, his Motion to Suppress will be withdrawn or, in the alternative, rendered
10 moot. Thus, the parties agree to not unnecessarily expend the resources of the parties or
11 the Court litigating the pending Motion in light of the Defendant's anticipated guilty
12 plea.

13 2. The parties agree to the continuance.

14 3. This is the first stipulation to continue the deadlines for the Government's
15 Response, the Defendant's Reply, and the scheduled hearing.

16 DATED this 28th day of December, 2017.

17 Respectfully submitted,
18 STEVEN W. MYHRE
Acting United States Attorney

19 //s//
NICHOLAS WOOLDRIDGE, ESQ.
20 Counsel for Defendant
RYAN AUSTIN ROTHER
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22 //s//
CHRISTOPHER BURTON
23 Assistant United States Attorney
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1 **UNITED STATES DISTRICT COURT**
2 **DISTRICT OF NEVADA**

3 **-oOo-**

4 UNITED STATES OF AMERICA,

2:17-cr-00148-JAD-GWF

5 Plaintiff,

6 vs.

ORDER

7 RYAN AUSTIN ROTHER,

8 Defendant.

9 Based on the pending Stipulation of counsel, and good cause appearing therefore,
10 the Court finds that:

- 11 1. The Defendant has filed a Notice of Intent to Plead Guilty Without Benefit
12 of a Plea Agreement (ECF No. 28). The Court has not yet set a hearing for
13 Defendant's change of plea but the Defendant's counsel has indicated that
14 once the Defendant has entered his guilty plea, his pending Motion to
15 Suppress will be withdrawn or, in the alternative, be rendered moot.
- 16 2. The parties agree to the continuance.
- 17 3. This is the first stipulation to continue the deadline for the Government's
18 Response, the Defendant's Reply, and the scheduled hearing on the
19 Defendant's pending Motion to Suppress.

20 For all of the above-stated reasons, the ends of justice would best be served by a
21 continuance of the requested dates.

1 **ORDER**

2 IT IS ORDERED, that the Government shall have to and including January 11,
3 2018, to file a Response to the pending Motion to Suppress.

4 IT IS FURTHER ORDERED, that the Defendant shall have to and including
5 January 18, 2018, to file any and all replies to dispositive motions.

6 IT IS FURTHER ORDERED that the hearing for Defendant's Motion to Suppress
7 currently scheduled for January 8, 2018, at the hour of 10:30 p.m., be vacated and
8 continued to January 31, 2018, at the hour of 9:30 a.m.

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10 DATED 29th day of December, 2017.

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12 
13 THE HONORABLE GEORGE W. FOLEY
14 UNITED STATES MAGISTRATE JUDGE
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